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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/393,899	09/10/1999	MICHAEL F. BRAITBERG	4154-3	3485
32605	7590	01/27/2006	EXAMINER	
MACPHERSON KWOK CHEN & HEID LLP 1762 TECHNOLOGY DRIVE, SUITE 226 SAN JOSE, CA 95110			ART UNIT	PAPER NUMBER

DATE MAILED: 01/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

MACPHERSON KWOK CHEN &  
MKID LLP  
RECEIVED ON

FEB 09 2006

CA

ATTORNEY:

ACTION: Non-Compliant

ACTION:

ACTION:

DOCKETED BY:

FORM LETTER: YES / NO

M-8532 US  
DPHI Acquisitions  
Jon Hullman

DUE: 2/2/06DUE: 2/2/06DUE: 2/2/06DATE: 2/2/06

FEB 09 2006

FEB 16 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Braitberg et al.

Title: CONTENT DISTRIBUTION METHOD AND APPARATUS

Serial No.: 09/393,899

Filing Date: September 10, 1999

Examiner: Charles, Debra

Group Art Unit: 3629

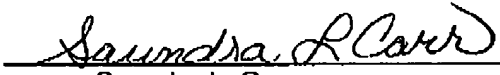
Docket No.: M-8532 US

Confirmation No. 3485

Irvine, California  
November 11, 2005Via Facsimile to (571) 273-8300Mail Stop :  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following documents are being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

- 1) Response to Notice of Non-Compliant Amendment;
- 2) Copy of PTO Notice dated January 27, 2006

Dated: 2-16, 2006  
Sandra L. CarrNumber of pages (including this sheet): 8MacPherson Kwok Chen & Heid LLP  
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<b>Notice of Non-Compliant Amendment (37 CFR 1.121)</b>	Application No. <b>09/343899</b>	Applicant(s)	
	Examiner <b>Debra Charles</b>	Art Unit <b>354</b>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on **1/17/06** is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:

☐ A. Amended paragraph(s) do not include markings.

☐ B. New paragraph(s) should not be underlined.

☐ C. Other \_\_\_\_\_.

☐ 2. Abstract:

☐ A. Not presented on a separate sheet. 37 CFR 1.72.

☐ B. Other \_\_\_\_\_.

☐ 3. Amendments to the drawings:

☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).

☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.

☐ C. Other \_\_\_\_\_.

☒ 4. Amendments to the claims:

☒ A. A complete listing of all of the claims is not present.

☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)

☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).

☐ D. The claims of this amendment paper have not been presented in ascending numerical order.

☐ E. Other: \_\_\_\_\_.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officifyer.pdf>.

**TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:**

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.

2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

**Tonya McBride**  
Legal Instruments Examiner (LIE)

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